

CONFERENCE COMMITTEE REPORT DIGEST FOR ESB 202

Citations Affected: IC 16-42; IC 25-26.

Synopsis: Pharmacy and wholesale drug distributor matters. Conference committee report for ESB 202. Allows a mechanical device that dispenses drugs to be used at certain remote locations and health care facilities. Removes authority for pharmacist extern programs. Adds persons who are allowed to be pharmacist interns. Changes references from the Foreign Pharmacy Graduate Equivalency Examination to the Foreign Pharmacy Graduate Examination Committee Certificate. Removes the practical examination requirement for certain pharmacists who are licensed in another jurisdiction. Provides that a person who has not renewed a pharmacist license within seven years must apply for a new license. Allows certain hospitals to operate Type II pharmacies in approved locations near the licensed area. Prohibits licensing a pharmacy in a residence. Authorizes the board of pharmacy (board) to temporarily suspend certain statutes or administrative rules that would prevent, hinder, or delay the appropriate delivery of pharmaceutical care during a state of emergency declared by the governor or the President of the United States. Provides that companies that only manufacture or distribute medical gases are not wholesale drug distributors or manufacturers. Adds and amends definitions concerning wholesale drug distributors. Allows the board to appoint a designee to inspect wholesale distribution operations. Requires a person seeking a wholesale drug distributor license to provide the board with a criminal history and financial background checks. Requires a record keeping pedigree for certain legend drugs that leave the normal chain of custody. Removes the requirement that drug distributors have: (1) a continuous quality improvement system; and (2) policies concerning certain drugs that may be returned. Requires that certain wholesale drug accreditation bodies that have an agreement with the board review accreditation denials. Allows the board to grant reciprocity to out of state home medical equipment service providers. Makes certain other changes, including conforming and technical changes. Repeals provisions concerning: (1) temporary pharmacist licenses; (2) qualifications to be an authorized wholesale drug distributor; and (3) certain random authentications of pedigrees by wholesale drug distributors. **(This conference committee report: (1) removes the amendment that prohibits pharmacies and certain retail establishments from selling cigarettes through a self service display; and (2) makes a technical correction.)**

Effective: Upon passage; July 1, 2006.

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT:

Your Conference Committee appointed to confer with a like committee from the House upon Engrossed House Amendments to Engrossed Senate Bill No. 202 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

- 1 Page 12, delete lines 29 through 42.
- 2 Page 13, delete lines 1 through 6.
- 3 Page 17, line 23, delete "subsection (b)(1)" and insert "**subdivision**
- 4 **(1)**".
- 5 Renumber all SECTIONS consecutively.
(Reference is to ESB 202 as reprinted March 1, 2006.)

Conference Committee Report
on
Engrossed Senate Bill 202

Signed by:

Senator Riegsecker
Chairperson

Representative Brown T

Senator Sipes

Representative Brown C

Senate Conferees

House Conferees